

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 29th July 1960 :—

Issue No.	No. and date	Issued by	Subject
148.	S. O. 1837, dated 23rd July, 1960.	Election Commission, India.	Amendment to S.O. No. 2149, dated 26th September, 1959.
149.	S. O. 1838, dated 23rd July, 1960.	Ministry of Commerce and Industry.	Application of certain sections of the Indian Patents and Designs Act, 1911 for protection of inventions patented in Canada.
150.	S. O. 1839, dated 23rd July, 1960.	Ministry of Information and Broadcasting.	Approval of films specified therein.
151.	S. O. 1840, dated 26th July, 1960.	Ministry of Commerce and Industry.	Appointment of persons as members of Coir Board.
152.	S. O. 1885, dated 28th July, 1960.	Do.	Specifications of exceptions and restrictions and limitations etc., of the Companies Act, 1956 applicable to the Hatheesingh Manufacturing Company Ltd., Ahmedabad.
	S. O. 1886, dated 28th July, 1960.	Do.	Authorising Shri Ambalal M. Shah to take over the management of the Hatheesingh Manufacturing Co. Ltd., Ahmedabad subject to terms given therein.
	S. O. 1887, dated 28th July, 1960.	Do.	Direction that powers of the management of M/s. Hatheesingh Manufacturing Co. Ltd., shall also be exercisable by the Govt. of Gujarat.
153.	S. O. 1888, dated 29th July, 1960.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of Gujarat to elect two persons to fill two vacancies.

Issue No.	No. and date	Issued by	Subject
	S. O. 1889, dated July, 1960.	29th Election Indis. Commission,	Appointment of dates for the election mentioned above (S. O. 1888).
	S. O. 1890, dated July, 1960.	29th Do.	Designating the Secretary, Gujarat Legislature Secretariat, Ahmedabad, to be the Returning Officer with reference to the election mentioned above (S. O. 1888).
	S. O. 1891, dated July, 1960.	29th Do.	Fixation of hours with reference to the election mentioned above (S. O. 1888).

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 30th July 1960

S.O. 1901.—In exercise of the powers conferred by article 239 of the Constitution, the President hereby directs that the powers of the Central Government to sanction advances under rule 10 of the All India Services (Provident Fund) Rules, 1955, to members of the All India Services serving in the Union territories shall, subject to the conditions prescribed in the said rule, be exercised by the Administrators of the Union territories within their respective jurisdiction.

[No. 5/34/59-AIS(II).]

T. C. A. SRINIVASAVARADAN, Dy. Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 26th July 1960

S.O. 1902.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958

(published as S.O. 2614 in the Gazette of India, dated the 20th December, 1953), namely:—

Amendment No. 61

In the said Rules the existing entry at serial No. 11 of the Annexure to Schedule V may be substituted as under:—

Col. 1	Col. 2	Col. 3	Col. 4
11	Legal charges:		
	(i) Fees to barristers, Pleaders, arbitrators and umpires.	Full Powers	Expenditure shall ordinarily be incurred only with the previous consent of the Ministry of Law except in cases involving a total amount of Rs. 300/- for a case in the High Court of Bombay, Calcutta or Madras ; Rs. 200/- for a case in any other High Court and Rs. 50/- for a case in any other court. As a general rule and subject to any standing arrangement, when Government pleaders appointed by the Ministry of Law (<i>vide</i> their Notification No. SRO 3820 dated 5-12-57 as amended from time to time) are engaged on scales of fees fixed by the High Court concerned, a reference to Ministry of Law shall not be necessary.
	(ii) Other legal charges .	(a) <i>Law suits or prosecution cases.</i> Full powers in case of authorities vested with powers to sanction the institution of suit or prosecution; otherwise Rs. 2500/- in each case.	Powers for prosecution or institution of law suits vest in the Departments of the Central Government or any other subordinate authority authorised in this behalf under any law, rules or orders for the time being in force.
		(b) <i>Arbitration cases.</i> Full powers in case of authorities vested with powers to refer cases to arbitration; otherwise Rs. 2,500/- in each case.	Reference to arbitration is made in the name of the President and by officers empowered to make such references under article 77(2) of the Constitution or by any other officer authorised in this behalf under any law, rules or orders for the time being in force.
	(iii) Reimbursement of legal expenses incurred by Government servants in cases arising out of their official duties.		These powers shall be exercised subject to such orders as the President may issue from time to time.

NOTE.—Payments in satisfaction of court decrees or awards of arbitral tribunals are not legal charges but are to be treated 'as miscellaneous expenditure' to be regulated in accordance with the provisions of Schedule VI.

[No. F. 12(64)-E.II(A)/60.]

C. R. KRISHNAMURTHI, Dy. Secy.

(Department of Expenditure)*New Delhi, the 27th July 1960*

S.O. 1903.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the Civil Service Regulations, namely:—

1. These regulations may be called the Civil Service (Amendment) Regulations, 1960.

2. In the Civil Service Regulations in Article 107, the following words and figures shall be added at the end, namely:—

“and this concession relating to refixation of pay shall be deemed to have taken effect on the 22nd January, 1958”.

[No. F. 2(54)-Est.III/58.]

V. DORAISWAMY, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 28th July 1960

S.O. 1904.—Statement of the Affairs of the Reserve Bank of India, as on the 22nd July, 1960.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	26,33,58,000
Reserve Fund	80,00,00,000	Rupee Coin	1,33,000
National Agricultural Credit (Long-term Operations) Fund	40,00,00,000	Subsidiary Coin	4,89,000
National Agricultural Credit (Stabilisation) Fund . . .	5,00,00,000	Bills Purchased and Discounted:—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	52,45,21,000	(c) Government Treasury Bills	22,24,29,000
(2) Other Governments	31,07,84,000	Balances held abroad*	17,29,42,000
(b) Banks	113,85,57,000	Loans and Advances to Governments**	29,55,32,000
(c) Others	129,29,96,000	Other Loans and Advances †	116,19,79,000
Bills Payable	19,02,75,000	Investments	259,32,39,000
Other Liabilities	9,66,06,000	Other Assets	14,36,38,000
	<u>RUPEES 485,37,39,000</u>		<u>RUPEES 485,37,39,000</u>

*Includes Cash & Short term Securities.

**Includes Temporary Overdrafts to State Governments.

† The item 'Other Loans and Advances' includes Rs. 13,05,30,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 27th day of July, 1960

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of July, 1960.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department .	26,33,58,000		A. Gold Coin and Bullion:—		
Notes in circulation	1815,38,15,000		(a) Held in India	117,76,03,000	
Total Notes issued		1841,71,73,000	(b) Held outside India	
			Foreign Securities	143,00,89,000	
			TOTAL OF A		260,76,92,000
			B. Rupee Coin		129,37,70,000
			Government of India Rupee Securities		1451,57,11,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		1841,71,73,000	TOTAL ASSETS		1841,71,73,000

Dated 27th day of July, 1960.

H. V. R. IENGAR,
Governor.

[No. F. 3(2)-BC/60.]

A. BAKSI, Jt. Secy.

ERRATA

In Notification No. F. 1/1/60-SB-TCE, dated the 15th June, 1960, of Ministry of Finance (Department of Economic Affairs), published in the Gazette of India, Part II—Section 3(ii), dated the 25th June, 1960, on pages 1786—1811 as S.O. 1553 (Accounts of the Treasurer of Charitable Endowments for India), the following corrections are to be made:—

Page 1790

Case No. 11, column 6, line 3, the word 'Reclamated' should read as 'Reclamation'.

Page 1792

Case No. 15 continued from page 1791, column 6, line 14, the word 'Award' should be read separately as 'A ward'.

Pages 1794-1795

The remarks under column 9 appearing against (b), (c) and (d) in column 6 should be read against (b) only.

Page 1795

The head 'PUNJAB' and the words 'Pending apportionment of properties relating to Central Charitable Endowments between India and Pakistan, the list of properties could not be prepared,' should be inserted at the bottom.

Page 1796

Case No. 6, column 6, the figure '30,392·00' should read as '30,397·00'.

Page 1797

Case No. 8, column 11, line 1, the word 'to' between the words 'Represents' and 'sale' should be omitted.

Page 1798

The figure '6' should be inserted under column 1 against 'Sir William Moore Memorial Fund'.

Case No. 7, column 2, line 1, the alphabet 'B' should be read as 'D'.

Case No. 10, column 6, the figure '29,68·00' should read as '29,868·00'.

Page 1799

Case No. 3, column 11, line 9, the word 'or' should read as 'for'.

Case No. 4, columns 9 and 10, the figures '2·50(g) etc.' shown under column 10 should be read under column 9.

Page 1800

Case No. 19, column 6, the figure '63,98·00' should read as '63,987·00'.

Page 1801

Case No. 17, column 9, the words 'Fee paid to Government' should be inserted against the figure '192·92'.

Page 1802

Case No. 5, column 2, line 2, the word 'gish' should read as 'giah'.

Page 1805

Case No. 3, column 10, the figure '1,855·52' should read as '1,855·25'.

Page 1809

Case No. 6, column 9, the figure '394·56' should read as '439·56'.

"In column 4 under 'Part II—List and Abstract Account of Securities', the words 'National Plan Savings Certificates' should be read as 'National/Plan Savings Certificates' wherever they occur."

(Department of Revenue)**INCOME-TAX***New Delhi, the 30th July 1960*

SUBJECT:—*Indian Income-tax Act, 1922—Section 4(3) (xviiib) (ii)—Exemption of tax on interest payable to foreign financial institutions—Central Government approval.*

S.O. 1905.—In exercise of the powers conferred by sub-clause (ii) of clause (xviiib) of sub-section (3) of section 4 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby accords approval to the Development Loan Fund, Columbia, U.S.A. for the purposes of exemption from Indian Income-tax of interest payable by any industrial undertaking in India on moneys borrowed by it under a loan agreement entered into with the said foreign financial institution.

[No. 80/10(107)-60/TPL.]

I. P. GUPTA, Dy. Secy.

(Department of Revenue)**LAND CUSTOMS***New Delhi, the 6th August 1960*

S.O. 1906.—In exercise of the powers conferred by sub-section (1) of section 3 of the Land Customs Act, 1924 (19 of 1924), the Central Government hereby makes the following amendment in the Government of India, Ministry of Finance (Department of Revenue) Notification, Land Customs—No. 2 dated the 25th January 1958, namely:—

For clause (2) of the said notification, the following clause shall be substituted, namely:—

“(2) the Collector of Central Excise, Bombay, to be Collector of Land Customs in his jurisdiction and for the whole of the area falling under the jurisdiction of the Collector of Central Excise, Poona and for the whole of the area lying to the south of the River Narbada in the State of Bombay falling under the jurisdiction of the Collector of Central Excise, Baroda and for North Kanara, Belgaum and Dharwar districts in the State of Mysore falling under the jurisdiction of the Collector of Central Excise, Mysore.”

[No. 3-2/6/59-L.C.I.]

M. C. DAS, Dy. Secy.

CENTRAL BOARD OF REVENUE**INCOME-TAX***New Delhi, the 27th July 1960*

S.O. 1907.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following amendments in the Schedule appended to its Notification S.O. 660 No. 35, dated the 22nd April, 1958, namely:—

In the said Schedule under the sub-head “XIV—Uttar Pradesh” for the existing entries in columns 1 and 2 the following entries shall be substituted, namely:—

1. Agra

(1) Agra.

(2) Aligarh.

(3) Firozabad.

2. Allahabad

(1) Allahabad.

(2) Mirzapur.

(3) Faizabad.

(4) Azamgarh.

(5) Central Circle, Allahabad.

- | | |
|----------------------|---|
| 3. Moradabad | (1) Moradabad.
(2) Rampur.
(3) Bulandshahr. |
| 4. Dehradun | (1) Dehradun.
(2) Saharanpur.
(3) Muzaffarnagar.
(4) Najibabad. |
| 5. Meerut | (1) Meerut.
(2) Spl. Inv. Circle A, Meerut.
(3) Spl. Inv. Circle B, Meerut.
(4) M.C., Meerut.
(5) E.D. cum I.T. Circle, Meerut.
(6) Project Circle, Meerut.
(7) Spl. Survey Circle, Meerut. |
| 6. Varanasi | (1) Varanasi.
(2) Gorakhpur.
(3) E.D. cum I.T. Circle, Varanasi.
(4) Project Circle, Varanasi.
(5) Spl. Survey Circle, Varanasi. |
| 7. Lucknow | (1) Lucknow.
(2) Bareilly.
(3) Sitapur.
(4) Spl. Survey Circle, Lucknow.
(5) E.D. cum I.T. Circle, Lucknow.
(6) Project Circle, Lucknow. |
| 8. Kanpur Range I | (1) District I, Kanpur.
(2) Central Circle, Kanpur.
(3) Fatehgarh.
(4) E.P.T. Circle, Kanpur.
(5) Mathura. |
| 9. Kanpur Range II | (1) District II, Kanpur.
(2) Spl. Inv. Circle, Kanpur.
(3) Gonda.
(4) E.D. cum I.T. Circle, Kanpur. |
| 10. Kanpur Range III | (1) District III, Kanpur.
(2) Jhansi.
(3) Spl. Survey Circle, Kanpur.
(4) Project Circle, Kanpur. |

These amendments shall come into effect from the 8th August, 1960.

Explanatory Note

NOTE.—The amendments have become necessary on account of the re-organisation of the Appellate Assistant Commissioners' Ranges in the charge of the Commissioner of Income Tax, Uttar Pradesh.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 78 (F. No. 50/15/60-IT).]

New Delhi, the 28th July 1960

S.O. 1908.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule annexed to its notification S.R.O. 1214 No. 44—Income-tax, dated the 1st July, 1952:—

In the said Schedule, for the existing entry in column 3 against S. No. 49 substitute the following entry, namely:—

“Second Additional Income-tax Officer, Mysore”.

This notification shall take effect from 1st August, 1960.

[No. 79 (F. No. 55/24/60-IT).]

D. V. JUNNARKAR, Under Secy.

LAND CUSTOMS

New Delhi, the 6th August 1960

S.O. 1909.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (19 of 1924), the Central Board of Revenue hereby directs that the following further amendments shall be made in its Notification No. 22-Customs, dated the 2nd February, 1952, namely:—

In the schedule annexed to the said Notification, under the heading "D-Land Customs areas under the jurisdiction of the Collector of Land Customs, Shillong," under the sub-heading "Shillong Circle", after the entry (f) "Sonai river" in column 2 against Bholaganj, the following entry shall be inserted, namely:—

"(g) Duba Channel".

[No. 2-2/7/60-L.C.I.]

M. C. DAS, Secy.

THE MADRAS CENTRAL EXCISE COLLECTORATE, MADRAS

CENTRAL EXCISE

Madras, the 21st July 1960

S.O. 1910.—In exercise of the powers conferred on me by Rules 50 of the Central Excise Rules, 1944, I hereby direct that the following amendment be made to the Notification C. No. IV/16/48/56 B. 1 dated the 29th July, 1957 issued by the Collector of Central Excise, Madras.

Amendment

In the Appendix A to the above mentioned notification for the existing entry under Col. 3 against serial No. 1 Cotton Fabrics, the following shall be substituted:—

"Non excisable yarn, fabrics other than excisable, except non-excisable yarn packed in bales or in cases by the Madurai Mills Company Ltd., Madurai".

[No. C. VIa/21/71/59 Ex. Pol.]

S.O. 1911.—In exercise of the powers conferred on me by Rule 50 of the Central Excise Rules, 1944, I hereby direct that no manufacturer of excisable parts of cycles other than Motor cycles, viz., Rims and free-wheels shall remove from his licensed premises any of the non-excisable goods specified below* without the permission of the Central Excise Officer in charge of the factory. A manufacturer who intends to remove any such non-excisable goods must apply in writing to the Factory officer at least two hours before the intended removal and get his permission. The form of application which should be presented in duplicate by the manufacturer is given below:

***NAMES OF NON-EXCISABLE GOODS**

- (i) All non-excisable parts of cycles manufactured in the factory.
- (ii) Completely assembled cycles (assembled in the factory) to which duty paid Rims and/or Free-wheels are fitted.

FORM OF APPLICATION

ORIGINAL

DUPLICATE

Sl. No.

Date.....

To

The Factory Officer,
.....Factory

Sir,

Please permit under Rule 50 of the Central Excise Rules, 1944, the removal of the following non-excisable goods:—

- (i) No. of packages
- (ii) Marks and number on packages
- (iii) Description and quantity of goods
- (iv) Name and address of consignee
- (v) Date and time of removal.

NOTE.—If completely assembled cycles are removed, the number and date of A.R. 1 under which duty was paid on the Rims/Free-wheels should also be indicated.

Signature of Manager or Authorised Agent.

[No. VI/ZE/21/2/60 CE. POL.]

D. R. KOHLI, Collector.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, DELHI

PUBLIC NOTICE

Delhi, the 26th July 1960

SUBJECT:—Staple fibre fabrics—Levy of excise duty on Treating of manufacturers of such fabrics as new ones for purposes of compounded levy.

S.O. 1912.—The Government of India, Ministry of Finance (Department of Revenue), had previously decided that in cases of manufacturers who were producing artsilk fabrics including staple fibre fabrics and were working under the special procedure prior to the 1st March, 1960, the compounded duty in respect of staple fibre fabrics for the months of March and April, 1960 may be recovered in the form of differential duty on the basis of the number of powerlooms employed by the manufacturers in the production of both artsilk fabrics and staple fibre fabrics during the months of January and February, 1960, respectively.

2. On representation of the Industry that the realization of duty for the months of March and April, 1960, on the total number of powerlooms employed on artsilk fabrics including staple fibre fabrics in the months of January and February, 1960 had caused hardship as there being no excise levy on staple fibre fabrics in the months of January and February, 1960, most of the factories had employed a larger number of powerlooms during these months, the Government of India have decided that as an *ex-gratia* measure the number of looms for the purpose of duty in respect of such manufacturers for the months of March and April, 1960 may be redetermined as follows, at the option of the manufacturers:—

March, 1960.—Average number of looms employed on artsilk fabrics (other than staple fibre fabrics) in January, 1960 plus the average number of looms actually employed on staple fibre fabrics in April, 1960.

April, 1960.—Average number of looms employed on artsilk fabrics (other than staple fibre fabrics) in February, 1960 plus the average number of looms actually employed on staple fibre fabrics in April, 1960.

The duty for these two months shall then be reassessed on the basis of the total number of powerlooms so arrived at and with reference to the rates of duty as are prescribed in the Government of India, Ministry of Finance (Department of Revenue) Notifications Nos. 56 to 59, dated the 15th May, 1959 (the category being determined on the basis of the said total number of looms) and the balance, if any, may be adjusted against the liability of the manufacturer for the succeeding months provided a claim for such reassessment is made within 3 months from the 16th July, 1960.

[No. VI(II)6/2/60/35801.]

K. NARASIMHAN, Collector.

BOMBAY CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISE

Bombay, the 27th July 1960

S.O. 1913.—In exercise of the powers conferred under Rule 233 of the Central Excise Rules, 1944, I order that the tobacco licensees in the Bombay Central Excise Collectorate who are required to maintain the following records as per Central Excise Rules, should preserve the same for the period shown against each:—

S. No.	Description of records	Period of Preservation
1.	Form E.B. 1 or E.B. 2	Three years after completion.
2.	Form E.B. 3	Three years after completion.
3.	Form A.R. 1	Four years.
4.	Form A.R. 3	Four years.
5.	Form W.R.G. 1	Four years after completion.
6.	Form W.R.G. 2	Four years after completion.
7.	Form W.R.G. 3	Three years after completion.
8.	Stock cards	Three years after completion.
9.	Weighment Register	Four years after completion.

2. The tobacco licensees, who desire to cancel or surrender their licences, should hand over the record maintained by them for the previous three or four years as the case may be to the proper Central Excise Officer before cancellation or surrender of their licences.

[No. CER/233/CX/4/60.]

G. KORUTHU, Collector.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

Bangalore, the 12th July 1960

Corrigendum to Notification No. 1/60 dated 24th February, 1960.

S.O. 1914.—For the existing limitations under column 3 against rule 92-Q(2) substitute the following:—

"Provided the delay in filing A.R. 7 application and/or making weekly deposit is not more than 2 days".

[C. No. VI(Y)21/15/60 B.1.]

A. R. SHANMUGAM, Collector.

MINISTRY OF COMMERCE & INDUSTRY*New Delhi, the 27th July 1960*

S.O. 1915.—In pursuance of sub-rule (4) of rule 155 of the Trade and Merchandise Marks Rules, 1959, it is hereby notified that, in exercise of the powers conferred by sub-rule (1) (a) of the said rule, the Central Government has removed from the Agents' Register the name of Shri Aditya Narain Misra.

[No. 6(4)-TMP/60.]

New Delhi, the 30th July 1960

S.O. 1916.—In exercise of the powers conferred by section 8 of the Emblems and Names (Prevention of Improper Use) Act, 1950 (12 of 1950), the Central Government hereby makes the following amendment in the Schedule to the said Act, namely:—

In the said Schedule, the words "Rashtra Bhavan" occurring in item 9 shall be omitted.

[No. 13(9)-TMP/60.]

R. R. RAO, Under Secy.

New Delhi, the 28th July 1960

S.O. 1917.—In exercise of the powers conferred by section 6 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), the Central Government have appointed Shri A. Kalyanaraman as Financial Adviser to the Khadi and Village Industries Commission with effect from 6th July 1960 (afternoon) *vice* Shri K. Krishna Rao.

[No. F. 4(4)/60-KVE.]

M. P. ALEXANDER, Dy. Secy.

ORDER*New Delhi, the 27th July 1960*

S.O. 1918/IDRA/6/14.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951) read with Rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be the members of the Development Council for the scheduled industries engaged in the manufacture or production of Food Processing Industries in place of members whose term of office has expired by efflux of time or otherwise:—

Serial No.	Name and address of the members	Interest Represented	Chairman/member
1	Shri P.H. Bhatt, Manager, M/s. Kaira "Technical Knowledge" District Co-operative Milk Producer's Union, Anand (Gujarat State)		Chairman
2	Shri M. G. Sathe, M/s. Sathe Biscuit & Chocolate Co., 820, Bhavanipeth, Poona.	"Owners"	Member
3	Shri Vittal Mallia, M/s. Kissan Products Ltd., Bangalore.	Do.	Member
4	Shri K. Gopalaswamy, M/s. Maize Products Ltd., Kathwada, Ahmedabad.	Do.	Member
5	Shri Stanley Nichols-Roy, M/s. United Fruit Co., Ltd., Shillong (Assam).	Do.	Member
6	Shri Ahmed Mohideen, Manager, M/s. Parry's Confectionery Ltd., P.B. No. 12, Darc House, Madras-1.	Do.	Member

Serial No.	Name and address of the member	Interest Represented	Chairman member
7	Shri B. R. Bedekar, M/s. Patiala Biscuit Mfrs. Private Ltd., <i>Rajpura</i> (Punjab).	"Owners" . . .	Member
8	Shri P. D. Bhargawa, M/s. Midland Fruit & Vegetable Products Ltd., Masani Stn., <i>Mathura</i> .	Do. . . .	Member
9	Shri V. Dwarakanath Reddy, M/s. Nutrine Confectionery Works, <i>Chittoor</i> (Andhra Pradesh).	Do. . . .	Member
10	Shri Jaikishan Das B. Pamnani, C/o J. B. Mangharam & Co., P.O. Residency, <i>Gwalior</i> .	Do. . . .	Member
11	Dr. H. A. B. Parpia, Industrial Liaison and Extension Officer, Office of Council of Scientific and Industrial Research, Old Mill Road, New Delhi.	"Technical Knowledge".	Member
12	Shri V. A. Mehta, Development Officer, Development Wing, New Delhi.	Do. . . .	Member
13	Shri Dayanand, Senior Marketing Development Officer (Fruit Products), Directorate of Marketing and Inspection, Ministry of Food and Agriculture, New Secretariat Buildings, <i>Nagpur</i> .	Do. . . .	Member
14	Shri D. S. Bhatia, Assistant Director, Central Food Technological Research Institute, Cheluvamba Mansions, <i>Mysore</i> .	Do. . . .	Member

and (b) Two other members, to be hereafter specified by the Central Government, who will be persons capable of representing the interests of persons employed in industrial undertakings in the said scheduled industries.

[No. 1(2)IA(IV)/60.]

NOTIFIED ORDER

New Delhi, the 28th July 1960

S.O. 1919/IDRA/18A/2/60.—In exercise of the powers conferred by section 18A of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following further amendment in its Notified Order No. S.R.O. 2039/IDRA/18A/7/56 dated the 8th September, 1956, namely:—

In the said Order in clause (ii) of the second paragraph and in the third paragraph, for the words "four years", the words "five year" shall be substituted.

[No. 9(3)/IA/IG/57.]

ORDERS

New Delhi, the 30th July 1960

S.O. 1920/IDRA/6/2.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be members of Development Council established by the Order of the Government of India, Ministry of Commerce & Industry No. S.O. 482/IDRA/6/12, dated the 18th February, 1960 for the scheduled industries engaged in the manufacture or production of textiles made

of wool including woollen yarn, hosiery, carpets and druggets till the 17th February, 1962 and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 13B relating to Prof. G. M. Nabar, the following entries shall be inserted, namely:—

- | | | |
|---|-----------------------|--------|
| "13C Shri S. S. Khot, Liaison Officer (Sheep & Wool) Indian Council of Agricultural Research, Ministry of Food (Department of Agriculture) New Delhi. | "Technical Knowledge" | Member |
| "13D The General Manager, Wool Processing Centre, Vinnamangalam, North Arcot Distt., Madras. | "Technical Knowledge" | Member |

[No. 4(31)IA(IV)/59.]

S.O. 1921/IDRA/6/10.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be members of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry No. S.O. 953/IDRA/6/10, dated the 24th April, 1959 for the scheduled industries engaged in the manufacture and production of Alkalies and Allied Industries till the 23rd April, 1961 and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 5 relating to Shri Charat Ram, the following entries shall be inserted, namely:—

- | | | |
|--|----------|--------|
| "5A. The Manager Director, Hindustan Salt Works Co. Ltd., P.B. No. 146, Jaipur. | "Owners" | Member |
| "5B. Shri M. M. Gurunath, Tuticorin Salt Refineries Ltd., 3, Lakshmana Chettiar St., T. nagar, Madras-17. | "Owners" | Member |
| "5C. Shri Jayantilal Tribhovandas Thanawala, The Bombay Salt Merchants & Shilotrics Association, 583, China Bazar, Bombay-2. | "Owners" | Member |
| "5D. Shri J. J. Tana, C/o M/s. Jamnadas Madhavji & Co., Rep. M/s. Halar Salt & Chemicals Works, 84, Kazi Syed St., Bombay. | "Owners" | Member |

[No. 4(5)IA(IV)/59.]

S.O. 1922/IDRA/6/4.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be members of Development Council established by the Order of the Government of India, Ministry of Commerce & Industry No. S.O. 1031/6/4, dated the 5th May, 1959 for the scheduled industries engaged in the manufacture of Machine Tools for the period ending the 4th May, 1961, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 18 relating to Shri R. K. Gejji, the following entries shall be inserted, namely:—

- | | | |
|--|-----------------------|--------|
| "18A. Shri V. Cadambe, Director, Central Mechanical Engineering Research Institute, Durgapur, | "Technical Knowledge" | Member |
| "18B. Dr. K. N. Mathur, Central Scientific Instruments Organisation, National Physical Laboratory, Hill Side Road, New Delhi-12. | "Technical Knowledge" | Member |

[No. 4(72)IA(IV)/58.]

S.O. 1923/IDRA/6/3.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be members of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry No. S.O. 954/IDRA/6/3, dated the 25th April, 1959 for the scheduled industries engaged in the manufacture and production of non-ferrous metals including alloys (and semi-manufactures thereof) till the 24th April, 1961 and directs that the following amendment shall be made in the said Order, namely:—

(a) In paragraph 1 of the said Order after entry No. 11A relating to Shri Amin Chand T. Gupta, the following entries shall be inserted, namely:—

"11B. Dr. A. G. Tendulkar, Director, Koyna Aluminium Project Co Tendulkar Industries Private Ltd., Stadium House, Veer Nariman Road, Bombay. "Owners" Member

"11C. Shri R. M. Hannah, Works Manager, Indian Copper Corporation, Ghatsila P.O., Distt. Singhbhum, Bihar (S.E. Rly). "Owners" Member

(b) In paragraph 1 of the said Order after entry No. 13C relating to Dr. D. R. Malhotra, the following entries shall be inserted, namely:—

"13D. Dr. Brahm . Prakash, Head of the Metallurgical Division, Atomic Energy Establishment, Trombay, Bombay. "Technical Knowledge" Member

"13E. Shri B. S. Krishnamachar, Assistant Director (S & M) Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi. "Technical Knowledge" Member

[No. 4(72)IA(IV)/58.]

D. HEJMADI, Dy. Secy.

TEA CONTROL

New Delhi, the 26th July 1960

S.O. 1924.—Shri P. V. Ramaswamy, a permanent Grade I Officer of the Central Secretariat Service, whose services were placed at the disposal of the Tea Board for appointment as Tea Adviser in the Consulate General of India in New York, assumed charge of the post in New York, with effect from the afternoon of the 1st July, 1960.

[No. 1(20) Plant(A)/60.]

New Delhi, the 27th July 1960

S.O. 1925.—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (No. 29 of 1953) read with sub-rule (3) of rule 4 and sub-rule (1) of rule (5) of the Tea Rules, 1954, the Central Government hereby appoints the Deputy Secretary to Government, Department of Industries, Labour and Cooperation, Government of Madras as *ex-officio* member of the Tea Board and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 944 dated the 17th March, 1954, namely:—

In the said notification, in the category of members representing the Governments of the principal tea growing States, for the entry "5. The Additional Secretary to Government, Department of Industries, Labour and Cooperation, Government of Madras, Madras (*ex-officio*)", the following entry shall be substituted, namely:—

"5. The Deputy Secretary to Government, Department of Industries, Labour and Cooperation, Government of Madras, Madras (*ex-officio*)".

[No. 7(11)Plant(A)/59.]

B. KRISHNAMURTHY, Under Secy.

MINISTRY OF STEEL, MINES & FUEL**(Department of Mines & Fuel)***New Delhi, the 26th July 1960*

S.O. 1926.—In exercise of the powers conferred by sub-section (1) of section 15 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952), read with rule 21 of the Coal Mines (Conservation and Safety) Rules, 1954, the Central Government reconstitutes with effect from 1st August, 1960, the Advisory Committee on Stowing, which shall consist of the following persons, namely:—

Shri A. Zaman, I.C.S., Chairman, Coal Board,	..	Chairman, (nominated by the Coal Board).
Shri S. S. Grewal, Chief Inspector of Mines in India	..	Member.
Dr. A. Lahiri, Director, Central Fuel Research Institute, Dhanbad.	..	Member
Shri A. A. Beard, Messrs. Bird & Co. Private Ltd.	..	} Members (representatives nominated by the Indian Mining Association).
Shri A. A. G. Wier, Messrs. Macneill & Barry Ltd.	..	
Shri Amritlal J. Chanchani, 18, Netaji Subhas Road, Calcutta.	..	Member (representatives nominated by the Indian Mining Federation).
Shri Rashiklal Worah, 135, Canning Street, Calcutta.	..	Member (representative nominated by the Indian Colliery Owners' Association).

The notification of the Government of India in the Ministry of Steel, Mines and Fuel, No. S. O. 1743 dated the 29th July, 1959 will stand superseded with effect from the 1st August, 1960.

[No. C5-4(4)/60.]

CHHEDI LAL, Dy. Secy.

(Department of Mines & Fuel)*New Delhi, the 28th July 1960*

S.O. 1927.—Whereas it appears to the Central Government that coal is likely to be obtained from the land mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

Plan No. HQ/LA/78

Dated 17-5-60.

SCHEDULE*(Block-Sudamdih Jharia coal field)*

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Bhojudih	Chas	239	Dhanbad		Part.
2	Sudamdih	Jharia	164	Dhanbad		Whole.
3	Sutikdih	Jharia	163	Dhanbad		Whole.

1	2	3	4	5	5	7
4	Swardih . . .	Jharna	161	Dhanbad		Whole.
5	Chakparbad . . .	Chas	232	Dhanbad		Whole.
6	Manpur . . .	Chas	234	Dhanbad		Whole
7	Jharna . . .	Chas	235	Dhanbad		Part.
8	Gundlibhitha . . .	Chas	236	Dhanbad		Part
9	Chatatanr . . .	Chas	238	Dhanbad		Part (Excluding Chhattarand Khas Colly).
10	Gorigram . . .	Chas	237	Dhanbad		Whole.
Total area 5.00 sq. miles (Approximately)						

Boundary description

AB line passes along the Eastern Boundary of village Bhojudih.

BC line passes along the Southern edge of Damodar River, and Northern Boundary of village Bhojudih.

CD line passes along the Common Boundary of villages Sudamdih and Chasnala.

DE line passes along the Common Boundary of villages Sudamdih and Chandrabad.

EF line passes along the Common Boundary of villages Sudamdih and Pathardih.

FG line passes along the Common Boundary of villages Sutikdih and Pathardih.

GH line passes along the Common Boundary of villages Swardih and Parghabad.

IJ line passes along the Common Boundary of villages Swardih and Mahul Bani.

JK line is the Common Boundary of village Dhekbera and Gorigram.

KL line is the Common Boundary of villages Pathargara and Gorigram.

LM line is the Common Boundary of villages Pathargara and Chakparbad.

MN line is the Common Boundary between the villages Banshara and Chakparbad.

NO line is the Common Boundary between the villages Manpur and Banshara.

OP line is the Common Boundary between the villages Manpur and Mahal.

PA line passes along the Southern Boundary of villages Manpur and through the villages Jharna, Gundlibhitha, Chatatanr and Bhojudih.

The maps of the area can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), "Darbhanga House", Ranchi or at the office of the Collector, Dhanbad.

[No. CZ-20(6)/60.]

B. ROY, Under Secy.

(Department of Iron and Steel)

New Delhi, the 28th July 1960

S.O. 1928.—ESS, COMM/Iron & Steel-15(1) & 27(1)/AM(26).—The following notification issued by the Iron and Steel Controller under sub-clause (1) of clause 15 of the Iron and Steel (Control) Order, 1956 is published for general information:—

"NOTIFICATION

In exercise of the powers conferred by Sub-Clause (1) of Clause 15 of the Iron and Steel (Control) Order, 1956 and with the approval of the Central Government, the Iron and Steel Controller is pleased to notify the following amendment and addendum to the Appendix I of the Price Notification published under

S.O. 2249-ESS.COMM[Iron & Steel-15(1) and 27(1) in Part II Section 3(ii) of the Gazette of India dated the 1st November, 1958.

Amendment

S.—Base Price Item No. 19

	Rate per ton	
	L/T Rs. nP.	M/T Rs. nP.
Against Sub Item No. 6(iii) for the existing entries <i>Read</i> the following :		
Specification MII/57, Oil hardened	291.00	286.40

Addendum

Sub Item No. 6 (VII) Specification EN 45-A	291.00	286.40
--	--------	--------

C. V. RAMACHANDRAN,
Price and Accounts Officer, for Iron & Steel Controller".

[No. SC(C)-2(120)/60.]

J. S. BAIJAL, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 12th July 1960

S.O. 1929.—Under Section 4 of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay, for the period mentioned against each:—

S. No.	Name	Part of the Section	Period upto
1.	Shri Ram Kishan Desi Kisan Gahety, Prop. Jai Kisan Gopi Kisan Ginning and Pressing Factory, Sanawad, Madhya Pradesh.	4(v)	31-3-1963
2.	Shri Mangat Singh, Rodya Gram, District West Nimar, Madhya Pradesh.	4(viii)	31-3-1963
3.	Shri W. R. Natu, Textile Commissioner, Bombay <i>vice</i> Shri D. S. Joshi,	4(x)	31-12-60

[No. 1-18/59-Com.II/IV.]

New Delhi, the 14th July 1960

S.O. 1930.—In pursuance of the provision of clause (c) of Section 4 of the Indian Coconut Committee Act, 1944, (10 of 1944), the Government of Kerala have nominated Shri C. Chidambara Iyer, President, Oil Millers' Association, Alleppey, as a member of the Indian Central Coconut Committee for a period of three years with effect from the 1st April, 1960.

[No. 8-2/60-Com.I.]

New Delhi, the 26th July 1960

S.O. 1931.—The following draft of a further amendment to the Indian Lac Cess Rules, which the Central Government propose to make in exercise of the powers conferred by section 8 of the Indian Lac Cess Act, 1930 (24 of 1930), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 25th August, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment.

1. These rules may be called the Indian Lac Cess (Amendment) Rules, 1960.
2. In the proviso to sub-rule (1) of rule 18 of the Indian Lac Cess rules, the following words and figures shall be inserted at the end namely:—

“except expenditure not exceeding Rs. 5,000 on minor Schemes which are not anticipated at the time of framing the annual Budget Estimates of the Committee, subject to the condition that the schemes are connected with the approved objects and the pattern of assistance is the same, as approved by the Central Government for similar schemes and the expenditure is met by diverting savings from within the sanctioned budget of the Committee”.

[No. 3-68/60-Com. III.]

New Delhi, the 28th July 1960

S.O. 1932.—In exercise of the powers conferred by sub-sections 5(i), (vii) and (viii) of Section 4 of the Indian Lac Cess Act, 1930, as amended from time to time, the Central Government is pleased to nominate the following persons on the Advisory Board of the Indian Lac Cess Committee to represent the interests mentioned against them:—

Sub-section of the Act	Name of the member	Interest represented
5 (i)	Dr. L. C. Verman, Director, Indian Standards Institution, New Delhi.	Chairman.
5 (vii)	Shri R. R. Chaudhari, Chief Conservator of Forests, Government of Maharashtra, Bombay.	Forest Officer.
5 (viii)	Dr. D. Narainmurti, Chief Research Officer, Forest Research Institute, Dehra Dun.	Scientist.

[No. 3-6/59-Com.III.]

AJUDHIA PRASADA, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 21st July 1960

S.O. 1933.—Captain Phanibushan Mukerjee, a member of the Faculty of Medicine, of P-5, Gariahat Road, Calcutta—29 has been duly elected as a member under clause (d) of section 3 of the Dentists Act, 1948 (16 of 1948), with effect from the 7th May, 1960, vice Dr. Subodh Mitra resigned.

[No. F.3-11/60-MII.]

R. MURTHI, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

LIGHTHOUSES & LIGHTSHIPS

New Delhi, the 28th July 1960

S.O. 1934.—In pursuance of sub-section (1) of section 4 of the Indian Lighthouse Act, 1927 (17 of 1927), the Central Government hereby appoints Shri Ross Tatham to be a member of the Central Advisory Committee for Lighthouses, *vice* Shri J. R. Galloway resigned and makes the following amendment to the notification of the Government of India in the Ministry of Transport & Communications (Department of Transport) S.O. 2631 dated the 20th November, 1959, namely:—

In the said notification, for item 3 in the list of members, the following item shall be substituted, namely:—

“8. Shri Ross Tatham, C/o. M/s. Everett Steamship Corporation, Bombay.”

[No. 4-ML(1)/59.]

S. K. GHOSH, Dy. Secy.

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 26th July 1960

S.O. 1935.—In exercise of the powers conferred by section 21 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

In the proviso to sub-rule (1) of rule 44 of the said Rules, for the figures, letters and words “30th June, 1960”, the figures, letters and words “30th June, 1962” shall be substituted.

2. The amendment hereby made shall be deemed to have come into force on and from the 1st July, 1960.

[No. 48/1/60-CI.]

N. CHIDAMBARAM, Dir. Postal Technical.

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 29th July 1960

S.O. 1936.—In exercise of the powers conferred by sections 25 and 74 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following amendments to the Indian Post Office Rules, 1933, namely:—

1. These rules may be called the Indian Post Office (Amendment) Rules, 1960.

2. In the Indian Post Office Rules, 1933, the following new rule shall be inserted, namely:—

“225 (1) The following articles shall, in no circumstances, be forwarded to their destination, delivered to the addressees or returned to the country of origin but shall be disposed of in accordance with the provisions of the Act and the rules made thereunder:—

(i) opium, morphine, cocaine and other narcotics: provided that this prohibition shall not apply to consignments sent in insured boxes or in parcels for a medical or scientific purpose to countries which admit them on this condition;

- (ii) explosives or inflammable substances;
 - (iii) dangerous substances; and
 - (iv) obscene or immoral articles.
- (2) Articles other than those mentioned in sub-rule (1) and which are prohibited from import into India under any enactments for the time being in force shall be made over to the nearest Customs Officer for such action as may be provided in the existing laws, rules or regulations."

[No. C. 69-10/54.]

S. M. GHOSH, Director of R.M.S.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS*New Delhi, the 29th July 1960*

S.O. 1937.—In exercise of the powers conferred by Section 11 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby appoints Shri A. K. Ghosh, Joint Secretary in the Ministry of Scientific Research and Cultural Affairs as member of the Copyright Board from the date of this notification upto the 15th September, 1961, *vice* Dr. A. M. D'Rozario, resigned.

[No. F. 4(3)/60-C.O.]

T. S. KRISHNAMURTI, Dy. Secy.

ARCHAEOLOGY**CORRIGENDUM***New Delhi, the 27th July 1960*

S.O. 1938.—The following amendments may be made in the Schedule to the Ministry of Scientific Research and Cultural Affairs Notification No. S.O. 820, dated 1st April 1960 published in Part II, Section 3, Sub-Section (II) of the Gazette of India, dated the 2nd April 1960:—

1. Under Serial No. 30, the figures '1,7' may please be substituted for the figures '17' occurring under column 5.
2. Under Serial No. 86, the words and figures 'Mosque No. 344' may please be substituted for the words and figures 'Mosque No. 349' occurring under column 5.
3. Under Serial No. 89, the word 'mosque' may please be substituted for the word 'Tomb' occurring under column 5.

[No. F. 3-214/59.C-1.]

S. J. NARSIAN,

Assistant Educational Adviser.

MINISTRY OF IRRIGATION AND POWER**ORDERS***New Delhi, the 1st August, 1960*

S.O. 1939.—In exercise of the powers conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a),
- (iii) Rule 50(1)(d),
- (iv) Rule 118(c), and
- (v) Rule 123(7),

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with Model B No. 118514 Shovel:

- One 250 H.P. 199/3300 volts, Westing House motor, Serial No. IS-59,
- One 400 amps, 3300 volts, General Electric, Oil circuit-breaker, Cat. No. 605024,
- One 200 H.P., 330 volts, General Electric, Auto-Transformer, Serial No. 223170,
- One 5 K.V.A., 3600/240/480 volts, Westing House, Hippersil Transformer, Serial No. 59B11842.
- One 5 K.V.A., 3600/240/480 volts, Westing House, Hippersil Transformer, Serial No. 59B11840,
- One 5 K.V.A., 3600/240/480 volts, Westing House Hippersil Transformer, Serial No. 59B11839,
- One 7.5 K.V.A., 3000/120/240 volts, Westing House, Hippersil Transformer, Serial No. 59B11845,
- One length of 660 feet of .0225 sq. inch, 3300 volts, 4 core, pliable wire-armoured T.R.S. polychloroprene consisting of 3 power cores and one earthed core of equal cross section, laid up with a polychloroprene cradcl separator, polychloroprene sheathed, galvanised steel strand armoured and tough rubber or polychloroprene sheathed cable,

at Korba Colliery of Messrs. National Coal Development Corporation Ltd., to the extent that (1) in relaxation of Rule 118(a) the portable motor of the Shovel may be used at 3.3 K.V., (2) in relaxation of Rule 119(1)(a) the bank of three single phase, 5 K. V. A., 3300/240/480 volts transformers connected in delta/delta and the single phase 7.5 K.V.A., 3300/120/240 volts transformer with their associated equipment using energy at high voltage may not be fixed apparatus as, being installed on the portable shovel moving from place to place, the same have a portable sense. (3) in relaxation of Rule 50(1)(d), there being no linked switches for control of 3.3 K.V., supply to the transformers installed on the shovel, the 3.3 K.V., supply to same may be controlled by the individually operated link-fuses as provided by the manufacturers. (4) in relaxation of Rule 118(c), the 120 volts system of supply intended for use for lighting purposes within the shovel from the single phase 7.5 K.V., 3300/120/240 lighting transformer having no mid voltage point for earthing and as such the voltage of the system being obtained between a phase and earth and not between phases as contemplated in Rule 118(c), the 120 volts system of supply is specially considered and may be used, and (5) the length of the flexible cable with the transportable machine may not exceed 660 feet and that the relaxation shall be subject to the following conditions:—

- (1) The installations and wirings inside the shovel shall comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular rules 115—117, 121, 124 and 125.
- (2) The flexible trailing cable for use with the excavating machine shall be worked and handled with due care so as to avoid any danger arising out of its use.
- (3) The excavating machine shall be worked with due care so as to avert danger arising out of any electrical defect and the insulation resistance of the high voltage circuit including driving motors shall at no time be less than 10 megohms.
- (4) The operators of the Shovel shall be trained and authorised for operating the Shovel with competency and due care to avoid danger:

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

S.O. 1940.—In exercise of the powers conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118, proviso (a),
- (ii) Rule 119(1)(a), and
- (iii) Rule 123(7),

of the said Rules shall be relaxed in the case of the use of—

- One $4\frac{1}{2}$ cu. yd., DN Menck & Hembroock Shovel, 3.3 K.V., Serial No. 39764/64,
- One 400 K.V.A., 3.3 KV/525 volts, 3485/525, 3135/525 volts, Gaube Lahmeyer & Co. transformer, Serial No. 853612, with 400 amps, Form RK13, 3.3 K.V. switchgear Serial No. 100632,
- One length of 600 feet of 163/0.018 sq. inch, 4 core, 3.3 K.V. grade cable as per B.S.S. 1116 of 1956, and one 400 amps, 3.3 K.V., Form RK13, Switchgear, Serial No. 100633,

at Joda East Iron Mine of Messrs. Tata Iron & Steel Co. Ltd., to the extent that (i) the working voltage of the said transportable excavating machine may not exceed 3,300 volts, (ii) the high voltage parts of the excavating machine, including the power transformer, may not be stationary and (iii) the length of the flexible cable with the transportable machine may not exceed 600 ft., and that the relaxation shall be subject to the following conditions:

- (1) The 3,000 volts supply to the flexible cable should be provided with earth-leakage protection.
- (2) The 550 volts supply used in this portable shovel for the different drives should also be covered by suitable earth-leakage protection.
- (3) The operators of the shovel should be duly trained and authorised.
- (4) The installations and wirings inside the shovel should comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular Rules 115 to 117, 120, 123 to 125 and 130.
- (5) The excavating machine shall be worked with due care so as to avert danger arising out of any electrical defect and the insulation resistance of the high voltage circuit, including the main driving motors shall not be less than 10 megohms.
- (6) The flexible trailing cable for use with the excavating machine shall be worked with due care so as to avert any danger arising out of it and shall be connected to the electricity supply system and the machine by properly constructed connector boxes:

Provided that the aforesaid relaxation shall be valid only for such time as the said machine is in use in the mine and that due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

This order supersedes Order No. EL-III-3(9)/59, dated the 4th April, 1959, in respect of the use of this Shovel at Noamundi Iron Mines of the same owners.

[No. EL-II-3(11)/60.]

K. V. RAJAGOPALAN, Under Secy.

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

(Department of Community Development)

New Delhi, the 25th July 1960

S.O. 1941.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendment in the Schedule to the notification of the Government of India

in the Ministry of Community Development No. SRO 4(5)/58-O&M, dated the 15th May, 1958, namely:

In part III of the said Schedule after the existing entries, the following heading and entries shall be inserted, namely:—

“CENTRAL INSTITUTE OF STUDY AND RESEARCH IN COMMUNITY
DEVELOPMENT MUSSOORIE.

ALL POSTS	ADMINISTRATIVE OFFICER	ADMINISTRATIVE OFFICER	ALL VICE PRINCIPAL
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2. This Ministry's Notification No. S. O. 1523 dated 19th May, 1960, is hereby cancelled.

[No. F. 18/6/60-Admn.]

N. KAUL, Dy. Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 22nd July 1960

S.O. 1942.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed, in the State of Madras for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

THE SCHEDULE

S. No.	Particulars of the Evacuee Property	Name of the Town & Locality in which property is situated	Name of Evacuee
1.	House No. 45	Village Sottankulam Tal., Tiruchendur Dist. Tinnevelly	Mubarak Ahmed

[No. 5(4)/Policy-II/60.]

KANWAR BAHADUR,

Settlement Commissioner and *Ex-officio*
Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 1st August 1960

S.O. 1943.—In exercise of the powers conferred on me by Sub-Section (2) of Section 10 of Displaced Persons (Claims) Supplementary Act, 1954 (12 of 1954) I have delegated to Shri Parshotam Sarup, Appellate Officer-cum-Deputy Chief Settlement Commissioner with effect from the 7th July, 1960 the following powers of the Chief Settlement Commissioner namely:—

1. Powers to transfer cases to Settlement Officers by general or special order under Sub-Section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more person to advise him in any proceedings pending before him, under Sub-Section (2) of Section 6 of the said Act.
3. Power to transfer any case pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act.

[No. 11(4)/CSC/AI-60/II.]

S.O. 1944.—In exercise of the powers conferred on me by Sub-Section (2) of Section 10 of the Displaced Persons (Claims) Supplementary, Act 1954 (12 of 1954), I have delegated to Shri Parshotam Sarup, Appellate Officer-cum-Deputy Chief Settlement Commissioner with effect from 7th July, 1960 the following powers of the Chief Settlement Commissioner :—

1. Power to call for the record of any case decided by the Settlement Officer and pass order in the case under Provision to Sub-Section (3) of Section 4 of the said Act.
2. Special power of revision under Section (5) of the said Act in respect of cases decided under the Displaced Persons (Claims) Act, 1950 (44 of 1950).

[No. 11(4)CSC/AI-60/III.]

S.O. 1945.—In exercise of the powers conferred on me by Sub-Section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), I hereby delegate to Shri Parshotam Sarup, Appellate Officer-cum-Deputy Chief Settlement Commissioner with effect from 7th July, 1960, the following powers of the Chief Settlement Commissioner :—

1. Power to hear appeals under Section 23 of the said Act.
2. Power to hear revisions under Section 24 of the said Act.

[No. 11(4)CSC/AI-60/IV.]

S. W. SHIVESHWARKAR,
Chief Settlement Commissioner.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 28th July 1960

S.O. 1946.—Whereas the Central Government is satisfied that the employees of the Government of India Forms Press, Aligarh, under the control of the Ministry of Works, Housing and Supply, are otherwise in receipt of benefits substantially similar or superior to those provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts the said Press from all the provisions of the said Act without time-limit.

[No. F. HI-6(49)/60.]

New Delhi, the 29th July 1960

S.O. 1947.—Whereas the Central Government is satisfied that the employees of the Radio Construction and Development Units of Civil Aviation Department, New Delhi, are otherwise in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2479, dated the 29th October, 1959, the Central Government hereby exempts the above mentioned factories from all the provisions of the said Act without time-limit with effect from the 8th September, 1960.

[No. F. HI-6(173)/59.]

BALWANT SINGH, Under Secy.

New Delhi, the 28th July 1960

S.O. 1948.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Dalingkote Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE NO. 5 OF 1960

PARTIES:

Employers in relation to the Dalingkote colliery

AND

Their workmen

PRESENT:

Shri G. Palit, MA., B.L., Chairman,

Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri K. Mukherjee, Director in Charge, *for the employers.*

Shri S. Das Gupta, Secretary, Colliery Mazdoor Sangh, with Shri J. K. Maliyil, Gen. Secretary, Darjeeling Coalfield Workers Union, *for the workmen.*

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, dated the 16th July 1960

AWARD

The Government of India, Ministry of Labour and Employment, by its Order No. L.R. II-2(153)/59 dated the 12th January, 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), referred for adjudication the aforesaid dispute to the Central Government Industrial Tribunal, Dhanbad, presided over by me for adjudication. Matters contained in the said reference are as per Schedule below:—

SCHEDULE

"(1) Whether the management of Dalingkote colliery were justified in retrenching Sarvashri U. K. Goswami and P. B. Thapa; and

(2) If not, to what relief they are entitled?"

2. In the copy of the letter No. 1/386/59 dated 1st June 1959 from Shri J. K. Maliyil, Secretary, Dalingkote Coalfield Workers Union, P. O. Pillanshat, Jalpaiguri District to the Conciliation Officer (Central), Ranigunge, which was forwarded to this Tribunal as the workers statement, I get that Shri U. K. Goswami and P. B. Thapa had been retrenched by notice dated 30th May, 1959. The reason stated in the notice was "with the decision of suspending the mining operation in Dalingkote colliery and curtailment of maintenance work, you are hereby informed that your services are not required with effect from 1st July, 1959". It is contended that the mine does not appear to have been closed. The case of the Union has been made to rest on two grounds viz. (1) "Last come, first go principle" has not been observed and that it is a case of clear victimisation for union activities, and (2) that the requirements of Section 25F of the Industrial Disputes Act, 1947 have not been complied with.

3. According to the management it is alleged that this colliery was opened as far back as 1943. Upto June, 1957 it had been selling dust coal mined from this colliery for brick manufacture in Assam, North Bengal, North Bihar, U.P., Rajasthan and East Punjab without any permit. After June, 1957, the Government of West Bengal suddenly directed and restricted the sale to those only who held permits granted by the State Civil Supply authorities. Bihar and U.P. States also refused to take this coal for its inferior quality. The Regional Coal Controller, Assam, totally banned its entry. There were also further restrictions. The result was that the sale dwindled down considerably. In 1957 the sale figures stood at 35,000 tons. In 1958 it came down to 25,000 tons. In 1959 it went further down to 10,000 tons. So the situation compelled suspension of the mining operation to

a great extent since May 1959. The accumulated stocks were only sold. The prospect became still more gloomy in 1959-60 when retrenchment became inevitable. There were several references about retrenchment before this Tribunal but they were decided against the employer presumably on the impression that the permit system had since been abolished while it was not so in fact. On the 28th August 1959 the State Government of West Bengal further notified cancellation of the lease of this colliery. It was only confirmed by another notification in January 1960. So the position has become absolutely desperate. It is the contention of the management that the principles of retrenchment as far as the Industrial Disputes Act is concerned have been fully complied with. The story of victimisation has been emphatically denied.

4. I have gone through the awards in those three references decided by my predecessor in office in connection with the retrenchment in this colliery. The learned Judge stressed mainly on the letter of the Government of India in the Ministry of Steel, Mines and Fuel dated 17th August 1959 (Annexure 'A' to the company's written statement) and also on the two notifications of the Government of West Bengal marked Exhibit B and B(1) dated 28th August 1959. He interpreted Annexure 'A' to mean that the permit system referred to by the management which restricted the sale of coal has already been abolished by the Governments concerned. The other two West Bengal Government notifications by which the lease of the mine was cancelled were avoided as irrelevant because they were of a date posterior to the date of retrenchment. But I am unable to concur entirely with the view taken above. Firstly, that the sale figures went down from 35,000 to 10,000 tons from 1957 to 1959, if true, are an appalling situation. This figure has been stated in the written statement of the management. The union has made no attempt to question the veracity of the said figures by inspecting the documents of the management. Now if there is a decline of sale from 35,000 to 10,000 tons a year, will it not be just prudent on the part of the management to curtail its personnel and its mining operation? No management can have equanimity of mind and can sit tight in the face of such a desperate situation. It must either put its house in order or it must collapse. It has no other choice. So the management had recourse to retrenchment and to curtail its mining operation drastically. That is exactly what this management has done here. This aspect seems to have been totally missed by the learned Tribunal in appraising the situation in which the said retrenchment had taken place. There is no evidence that the management had in the meanwhile made a rally from the said situation. Rather the notifications of the Government of West Bengal make it perfectly clear that the management was absolutely doomed. If the management saw the writing on the wall, can it be blamed? If in such a situation it takes to retrenchment, is that unjustified? It does never reflect credit either on the wisdom or foresight of the management if it does not take any precautionary measure till actually it is confronted with the disaster. So simply because these notifications came in a month or two later, they can never be avoided as having no bearing on the situation in question. In my opinion, the management has made out a clear case in which retrenchment was unavoidable or perhaps, inevitable. I may also point out that it is not suggested that the management has since recruited new hands in the vacancies caused by this mass-scale retrenchment. So the retrenchment does not appear to be *malafide*. To say that the retrenchment was undertaken only to let down the union members can hardly be acceptable. Nobody would cut one's nose to spite another man's face. The union might not have been liked by the management, but for that reason to suspend the operation of the mine or to cut down the personnel drastically would not be tenable. So I hold that the retrenchment in question was justified.

5. Next, I come to the question whether in fact the retrenchment principles enunciated under Section 25F were complied with. In the written statement of the union no particular man has been specifically mentioned as still retained by the management who are junior in service to these two workmen. Under para 10 of the written statement of the management, I get that at the time of the retrenchment in question there were only two persons of the clerical staff in service. But they are said to have belonged to a different category. One is Shri D. K. Mukherjee. But he is senior to Shri P. B. Thapa. P. B. Thapa was taken into employment as per Exhibit 2(a) on 1st October, 1952 and later on he was promoted to clerical grade on 10th September, 1955. Previously he was a Bill Clerk and later on he became an Attendance Clerk. But Shri D. K. Mukherjee was appointed on 1st October, 1945. So he was not junior to Thapa. Besides, he was a Matriculate and held a Surveyor's certificate and also Mining Sirdar's certificate. He was

acting as an Overman of the Dabngkote colliery. Shri P. B. Thapa was barely literate and was an Attendance Clerk. So Shri D. K. Mukherjee's retention does not contravene Section 25G. Shri D. N. Bhattacharjee, of course, had his appointment on 26th March, 1957 i.e., he was junior to Shri P. B. Thapa. But then he is a Graduate. He was the company's representative at Kanpur. He is stated to have been conversant with Hindi and colloquial Urdu. So there can be no comparison between him and Shri P. B. Thapa. The Union could not mention any other person who was junior to Shri P. B. Thapa but was retained in employ of the management. In the cross-examination of P. W. 1 of the Union what I get is that H. D. Majumdar, B. N. Ghosh and others were junior to Shri P. B. Thapa. But he is forced to admit that they were working not in Dalingkote colliery but in East Bagrakote colliery. I get from O. P. W. 1 that those people who were employed in East Bagrakote colliery from Dalingkote colliery were getting less wages. Theirs was practically a new appointment. So it can never be said that they have been retained in this colliery. Besides these two collieries are not identical. That has been denied by the management. There is also no evidence by the union to contradict it. So the contention that 'Last come, first go' has not been observed has not been substantiated by the union against the management.

6. There is another contention that Shri Thapa was selected for his union activities. Of course, there was proximity of dates between the formation of the union and the present retrenchment. But there is nothing more to show that Shri Thapa was particularly selected because of his trade union activities. About his union activities all that is said is that he agitated about the extension of the Coal Award to this colliery. But this does not go far enough in this matter. So this contention is also idle. Because a workman is associated with the union, that itself does not carry any immunity from retrenchment.

7. The further contention is that the notice in form P has not been drafted in proper form. The notice P has been given but it is evidently not exactly in order. Para 4 of the prescribed form has not been mentioned in the notice. Besides the notice has been given under Section 25FFF of the Act. That is a case of closure but here it is a case of retrenchment. The management admits that the mine had not been closed but only it has been suspended. So the notice is irregular. But that only related to the limitation of compensation to three months' wages only. That question has not arisen before me. All that can be argued is that the retrenchment compensation would be in the case of Thapa four months and not limited to three months because notice has not been given in proper form and that it was not a case of closure. The management has signified its readiness to pay four months' wages as compensation to Shri P. B. Thapa for his 8 years service. So this contention about notice is out of place.

8. Regarding the payment of retrenchment compensation the management says that it had offered but it was not accepted. Of course, there has been no postal remittance. But that is not the only method of payment. Besides Shri Thapa has received the notice pay and other dues. Shri Goswami has accepted his retrenchment compensation also. So I accept the management's story that Shri Thapa was also offered this retrenchment compensation. He expected more. That is why he declined to accept it. So that requirement is also satisfied.

9. Having regard to all these facts and circumstances I find that the retrenchment of Shri P. B. Thapa is justified. As such no relief under issue No. 2 he is entitled to. Relief under issue No. 2 would only arise if the retrenchment in question was not justified.

10. Regarding Shri U. K. Goswami the union does not press his case. He has received the retrenchment compensation and has evidently dropped out of the contest. So I do not make any finding regarding his case. I also make no order about costs.

Sd./- G. PALIT,

Chairman, Central Govt. Industrial Tribunal,
Dhanbad.

DHANBAD,

The 16th July, 1960.

S.O. 1949.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the industrial dispute between the employers in relation to the Loyabad Colliery and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 28 of 1960

PARTIES:

Employers in relation to the Loyabad Colliery.

AND

Their workmen.

PRESENT: Shri G. Palit, M.A.B.L., Chairman,
Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

J. L. Sinha, Group Personnel Officer, *for the employers.*

Shri B. N. Sharma, Member Executive Committee, Colliery Mazdoor Sangh.
for the workmen.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 16th July 1960

AWARD

The Government of India, Ministry of Labour and Employment, by its Order No. 2/71/59-LRII dated 19th May 1960, made in pursuance of Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 47) referred the aforesaid industrial dispute for adjudication to the Central Government Industrial Tribunal at Dhanbad presided over by me concerning the matters as per schedule below:—

SCHEDULE

"Whether the management was justified in dismissing Shri Dil Mohammed. If not, to what relief is he entitled?"

2. Shri Dil Mohammed was a Machinist of the Loyabad colliery. He was alleged to have been found sleeping while on duty on 2nd August, 1958 at 4-30 A.M. by the Manager during his round in the workshop. He was found sleeping along with others on a tool box by the side of the shaping machine and the Nepali Naik woke him up under the orders of the Manager. He was given a charge sheet on 5th August, 1958. He replied to it and his reply is in the body of the charge sheet. He says that in the course of his duty he sustained an injury in his right hand due to the slipping of the handle while tightening the dog wheel. He was feeling pain and he laid down on the tool box but was not sleeping. He got himself treated in the hospital of the management the next morning. He denies having been present during an enquiry in connection with the charge sheet.

3. Turning to the facts as elicited by evidence, I am satisfied that there was an enquiry in the presence of Dil Mohammed by the Labour Welfare Officer, Shri G. Banerjee on 8th August, 1958 on the basis of the charge sheet given to Shri Dil Mohammed. The enquiry was held in the workshop in the Manager's office. The proceedings of the enquiry have been produced before me. I find that only the Manager and the Nepali Naik have been examined and the statement of Dil Mohammed was recorded. Possibly the enquiring officer did not think it worthwhile to examine any other eye witness to the scene, because the Manager himself caught Dil Mohammed sleeping along with others. But I really wonder why the enquiring officer did not think it worthwhile to examine the doctor just to ascertain whether the story of Dil Mohammed having sustained an injury was true or not. If a man is injured in the early morning and if he reclines on a tool box by the side of the machine just waiting to get hospital treatment in the morning, still he will be punished for sleeping on duty, would be a position not acceptable to the Tribunal. Sleeping on duty is reprehensible in the case of watchmen whose only duty is to keep vigilance and to do patrol duty. But in the case of a workman, if he is found sleeping while on duty, his guilt would be negligence of his work. So mere lying down when one is injured is never

tantamount to sleeping on duty as mentioned in the Standing Orders which is construed as a misconduct entailing dismissal. So it was incumbent on the enquiring officer not so much to enquire whether the man really reclined on the tool box as to ascertain whether he was really injured and whether the story of his treatment in the hospital was a concocted story. That was not done. So I cannot accept the finding of the enquiry officer on its face value.

4. Next, I come to the evidence before me. I find from Exhibit--1--the Medical Attendance Ticket of the colliery,—that this man Dil Mohammed was examined on 2nd August, 1958, and his complaint was sprain on the right hand. If I look to the note in pencil apparently of the enquiring officer in Exhibit A-3 I get that the accused went to the hospital on 2nd August, 1958, at 9-10 a.m. after being caught asleep. He reported "pain in right hand". But in the ticket itself I find sprain in the right hand. Pain is not synonymous with sprain though one is the result of the other. Now if there is sprain and swelling, the genuineness of the complaint is beyond question. The doctor could have thrown light whether the accused merely complained of pain or whether there was an actual sprain as manifest by swelling etc., on his hand. At any rate, it is clear that this workman did not lose any time in getting his treatment in the company's hospital in the morning. Before me he has examined two other workmen who are still in the employ of the company. They have spoken that Dil Mohammed received the injury at 4 a.m. and the Manager called at 4-30 a.m. Dil Mohammed says that he showed the injury to the Manager but the latter took no notice of it. Then if I turn to the report of the Manager marked Exhibit-C I get that he charged four persons as being found asleep, that night. Punit Kahar was recommended suspension for 5 days because he was found sleeping for the first time. Harun Rashid was dismissed because he was previously warned for sleeping on duty and so was this Dil Mohammed. Tekbahadur Nagarkuti was a watchman. He was found sleeping on duty and his dismissal was recommended. If we remember that it was the Manager who was the complainant in this case, then his recommendation of the above punishment must be taken with a grain of salt. But the Deputy Mining Engineer merely endorsed saying "yes" to the recommendation and that about three months after the occurrence. This shows how this workman has been dealt with. So I find that the dismissal of Shri Dil Mohammed was not at all justified. It would not be commensurate with the offence complained of. It was not called for at all in this particular case because the man was lying on a tool box feeling pain for injury sustained in the course of his duty and waiting for treatment in the hospital in the morning. Thus the decision of the company is absolutely perverse and can never be sustained.

5. Having regard to these facts and circumstances, I find that the dismissal was unjustified. Shri Dil Mohammed is found entitled to reinstatement within one month of this award coming into operation in his previous post or in any equivalent post. Regarding his compensation for this period of forced idleness from October, 1958 upto the date of his reinstatement, I allow him compensation at the rate of quarter of his basic salary which he drew at the time of his dismissal from 1st October, 1958, right upto the date of his reinstatement in one lump sum. This period of forced idleness will be treated as leave without pay and the offence complained of would not be recorded in his service roll as such.

Sd/- G. PALIT.

Chairman, Central Govt. Industrial Tribunal, Dhanbad.

DHANBAD,

The 16th July, 1960.

[No. 2/71/59-LRII.]

New Delhi, the 1st August 1960

S.O. 1950.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the industrial dispute between the employers in relation to the Bhutgoria Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 13 OF 1960

PARTIES:

Employers in relation to Bhutgoria Colliery

AND

Their workmen.

PRESENT:

Shri G. Palit, M.A., B.L., *Chairman*,

Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri S. K. Bhattacharjee, Labour Adviser—for the Employers.

Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh,
with Shri Panch Dev Singh, the aggrieved workman.

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, dated the 16th July, 1960.

AWARD

The Government of India, Ministry of Labour & Employment, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), by its Order No. 2/18/60-LR.II, dated 7th March 1960 referred the aforesaid industrial dispute to the Central Government Industrial Tribunal at Dhanbad presided over by me for adjudication concerning the matter as per schedule below:—

"Whether the retrenchment of Shri Panch Dev Singh, Munshi, was justified having regard to the provisions of section 25G of the Industrial Disputes Act, 1947, and if not, whether he should be re-instated or given other relief."

2. When the case was taken up for hearing, the parties filed a joint petition of compromise disposing of the entire dispute. I have gone through the said compromise and find it reasonable and acceptable to the Tribunal. The union, however, objected to the said settlement being acted upon because it was without the consent of the union and in the face of the union's objection. So I examined the employee concerned. I find that he admitted his signature to the said petition of settlement. The union is not competent to raise an objection when the person whom it represents personally settles up the matter directly with the management. The union merely represents the workman under Section 36 of the Industrial Disputes Act, 1947. It has no independent *locus standi* to contest the dispute when the workman himself leaves it in the lurch. So I cannot accept this objection of the Union. Accordingly, the case stands disposed of in terms of the petition of compromise which is made a part of my present award. The petition of settlement is as per appendix.

Sd./- G. PALIT, Chairman,
Central Government Industrial Tribunal,
Dhanbad.

DHANBAD;

The 16th July, 1960.

APPENDIX

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 13 OF 1960.

Employers in relation to Bhutgoria Colliery

AND

Their workmen.

The Employers and Sri Panchdev Singh, Munshi, the justification of whose retrenchment is the only issue in this Reference jointly beg to state that the

Employers and Sri Panchdev Singh have amicably settled the dispute by mutual agreement on terms as set forth below:—

- (a) The retrenchment shall be cancelled and Sri Panchdev Singh shall be posted as Munshi at Bhutgoria Colliery on and from 11th July 1960 and shall thereafter be posted in the same post at Methani Colliery belonging to the same Employers with effect from 1st of August, 1960.
- (b) The period of unemployment since the date of retrenchment shall be considered as leave without pay and the continuity of service of Sri Singh shall be maintained on existing conditions of service.
- (c) In full satisfaction of all claims regarding expenses, leave, etc., the Employers shall pay the sum of Rupees Four Hundred only to Sri Panchdev Singh. This payment shall be made within 25th July 1960.

The applicants, therefore, pray that this Reference may kindly be disposed of in accordance with the agreed terms stated above.

PANCH DEV SINGH,
the workman concerned.

S. K. BHATTACHARJEE,
Labour Adviser and
Constituted Attorney for and on
behalf of Employers,
Messrs. Equitable Coal Co., Ltd.
Sd./- G. PALIT, Chairman,
Central Government's Industrial Tribunal,
Dhanbad.

DISHERGARH;
The 11th July, 1960.

[No. 2/18/60-LRII.]

S. N. TULSIANI, Under Secy.

New Delhi, the 29th July 1960

S.O. 1951.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that for a period of two years from the 29th July, 1960, the provisions of clauses (b) and (c) of sub-section (1) of section 13 of the said Act shall not apply to the persons employed by the Bombay Port Trust in—

- (i) the Kennery Island Lighthouse,
- (ii) the Prongs Lighthouse, and
- (iii) the Wireless Beacon Station, Kennery Island.

[No. LWI(1)-8(4)/60.]

B. R. SETH, Dy. Secy.

New Delhi, the 29th July 1960

S.O. 1952.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the matter of an application under section 33A of the said Act from Shri M. Hossain, Deck Foreman, a workman of Messrs. A. C. Roy & Co. (P). Ltd., Calcutta.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

APPLICATION NO. 2 OF 1960—IN REFERENCE NO. 9 OF 1960

PARTIES:

M. Hossain, Deck-Foreman, 21/1/1B, Mominpur Road, Calcutta-23—*Complainant.**Vs.*Messrs. A. C. Roy & Co. (P) Ltd., 5, Mission Row, Calcutta-1—*Opposite party.*

PRESENT:

Shri G. Palit, M.A., B.L., *Chairman,*

Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri Nirmal Mukherjee, Calcutta Dockers' Union—for the complainant.

Shri Nalini Kanta Chakraborty—for the opposite party.

STATE: West Bengal.

INDUSTRY: Shipping.

Calcutta, dated the 26th July, 1960.

AWARD

This complaint purports to be one under Section 33A of the Industrial Disputes Act, 1947 just for having the dismissal order passed on the 31st March, 1960 set aside and also to grant consequential relief. But I do not think it worthwhile just to go into the facts of the case, as when the case was taken up for hearing, the parties have filed a joint petition of compromise settling up the entire dispute. I have gone through the contents of the said petition of compromise and find them to be in order. So accepting the petition of compromise, I award that this case is disposed of in terms thereof. The said petition of compromise will form part of my present award.

2. This will also dispose of the application under Section 33(2)(b)—Application No. 18 of 1960—filed by the employer against the workman for obtaining the permission of the Tribunal with regard to the punishment which it has meted out to the aggrieved employee, as the matter is also disposed of by another petition of compromise on identical terms. This order thus governs both these two applications filed by the employer against the employee and *vice versa*.

Sd./- G. PALIT, Chairman.

Central Government Industrial Tribunal,
Dhanbad.

BEFORE SHRI G. PALIT, CHAIRMAN, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

In the matter of Application No. 2 of 1960 under Section 33A of the Industrial Disputes Act (arising out of Reference No. 9 of 1960)

AND

In the matter of M. Hossain, Deck Foreman—*Applicant.**Vs.*A. C. Roy & Co. (Private) Ltd.—*Opposite party.*

The humble petition of both the parties above-named most respectfully states, without prejudice to the contentions raised by the Company through the Master Stevedores' Association in Reference No. 9 of 1960—

1. That the matter arising out of the aforementioned application has since been at the request of the workman amicably settled by and between the parties themselves on the following terms and conditions:—

- (a) That the workman Sri M. Hossain is agreed to accept, honour and abide by the Rules and Regulations of the Company, the Port and the Calcutta Dock Labour Board as well as the existing system of bookings, etc., obtaining in the Company.

- (b) That the workman Sri M. Hossain is agreed that he has no claim to wages, subsistence allowance, etc., for the period of his unemployment from the 1st April, 1960 to 11th July, 1960.
- (c) That in view of the aforesaid the Company is agreed subject to the approval of the Deputy Chairman, Calcutta Dock Labour Board, to whom a copy hereof is forwarded to reinstate the workman, Sri M. Hossain in service with effect from the 12th July, 1960 on the same terms and conditions in which he had been employed prior to his dismissal.

2. That in view of the above settlement by and between the parties, the petitioner is not willing to proceed further in the matter and wants to withdraw the application.

The petitioners therefore pray that your honour will be pleased to approve of the settlement and allow your petitioner, Sri M. Hossain to withdraw the application and that order may be passed disposing of the application in withdrawal.

Sd./- M. HOSSAIN,
Deck-Foreman,
A. C. Roy & Co. (P) Ltd.
Sd./- CHAUDHURY,
Managing Director.

Witness:

Sd./- NIRMAL MUKHERJEE,
Representative,
Calcutta Dockers Union.

CALCUTTA;

The 12th July, 1960.

Sd./- G. PALIT, Chairman,
Central Government's Industrial Tribunal,
Dhanbad.

[No. LRIV-28/48/59.]

S.O. 1953.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the matter of an application under section 33A of the said Act from Shri S. K. Roy, Deck Foreman, a workman of Messrs. A. C. Roy & Co. (P), Ltd., Calcutta.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

APPLICATION No. 3 OF 1960—IN REFERENCE No. 9 OF 1960

PARTIES:

S. K. Roy, Deck Foreman, 59A, Garpar Road, Calcutta—*Complainant*.

Vs.

Messrs. A. C. Roy & Co. (P) Ltd., 5, Mission Row, Calcutta-1—*Opposite party*.

In the matter of a complaint under Section 33A of the Industrial Disputes Act, 1947 since amended, by Shri S. Roy, Deck Foreman of Messrs. A. C. Roy & Co. (P) Ltd., Calcutta.

PRESENT:

Shri G. Palit, M.A., B.L., *Chairman*,
Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri Nirmal Mukherjee, Assistant General Secretary, Calcutta Dockers Union—*for the complainant*.

Shri Nalini Kanta Chakraborty—*for the opposite party*.

STATE: West Bengal.

INDUSTRY: Shipping.

Calcutta, dated the 21st July, 1960.

AWARD

This complaint purports to be one under Section 33A of the Industrial Disputes Act, 1947 just for having the dismissal order passed on 26th March, 1960 set aside and also to grant consequential relief. But I do not think it worthwhile just to go into the facts of the case, as when the case was taken up for hearing, the parties have filed a joint petition of compromise settling up the entire dispute. I have gone through the contents of the said petition of compromise and find them to be in order. So accepting the petition of compromise, I award that this case is disposed of in terms thereof. The said petition of compromise will form part of my present award.

2. This will also dispose of the application under Section 33(2)(b)—Application No. 16 of 1960—filed by the employer against the workman for obtaining the permission of the Tribunal with regard to the punishment which it has meted out to the aggrieved employee, as the matter is also disposed of by another petition of compromise on identical lines. This order thus governs both these two applications filed by the employer against the employee and *vice versa*.

Sd./- G. PALIT, Chairman,

Central Government Industrial Tribunal,
Dhanbad.

BEFORE SHRI G. PALIT, CHAIRMAN, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT DHANBAD.

In the matter of Application No. 3 of 1960 under Section 33A of the
Industrial Disputes Act (arising out of Reference No. 9 of 1960)

AND

In the matter of S. K. Roy, Deck Foreman—*applicant*.

Vs.

A. C. Roy & Co. (Private) Ltd.—*Opposite party*.

The humble petition of both the parties above-named most respectfully states, without prejudice to the contentions raised by the Company through the Master Stevedores' Association in Reference No. 9 of 1960—

1. That the matter arising out of the aforementioned application has since been at the request of the workman amicably settled by and between the parties themselves on the following terms and conditions:—

- (a) That the workman Sri S. K. Roy is agreed to accept honour and abide by the Rules and Regulations of the Company, the Port and the Calcutta Dock Labour Board as well as the existing system of bookings, etc., obtaining in the Company.
- (b) That the workman Sri S. K. Roy is agreed that he has no claim to wages, subsistence allowance, etc., for the period of his unemployment from the 26th March, 1960 to 11th July, 1960.
- (c) That in view of the aforesaid the Company is agreed subject to the approval of the Deputy Chairman, Calcutta Dock Labour Board, to whom a copy hereof is forwarded, to reinstate the workman Sri S. K. Roy in service with effect from the 12th July, 1960 on the same terms and conditions in which he had been employed prior to his dismissal.

2. That in view of the above settlement by and between the parties, the petitioner is not willing to proceed further in the matter and wants to withdraw the application.

The petitioners therefore pray that your honour will be pleased to approve of the settlement and allow your petitioner Shri S. K. Roy to withdraw the

application and that order may be passed disposing of the application on withdrawal.

Sd./- S. K. Roy,
Deck-Foreman,
A. C. Roy & Co. (P) Ltd.
Sd./- CHAUDHURY,
Managing Director.

Witness:

Sd./- NIRMAL MUKHERJEE,
Representative,
Calcutta Dockers' Union.

CALCUTTA;
The 12th July, 1960.

Sd./- G. PALIT, Chairman,
Central Government Industrial Tribunal,
Dhanbad.

[No. LRIV-28/48/58.]

New Delhi, the 30th July 1960

S.O. 1954.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a Labour Court with headquarters at Dhanbad, and appoints Shri G. Palit as the Presiding Officer of that Court.

[No. 1/55/59-I-LR-I.]

S.O. 1955.—In exercise of the powers conferred by sub-section (2) of section 33C of the Industrial Disputes Act, 1947 (14 of 1947), and in supersession of the Government of India, Ministry of Labour and Employment, Notification No. S.O. 1487, dated the 23rd June, 1959, the Central Government hereby specifies—

- (i) the Labour Court, Dhanbad, constituted under section 7 of the said Act, by the Notification of the Government of India, Ministry of Labour and Employment, No. S.O. 1954, dated the 30th July, 1960, as the Labour Court which shall determine the amount at which any benefit referred to in that sub-section shall be computed in terms of money, in relation to workmen employed in the States of Assam, Bihar, Orissa, and West Bengal and the Union territories of Manipur and Tripura; and
- (ii) the Labour Court, Delhi, constituted under the said section 7, by the Notification of the Government of India, Ministry of Labour and Employment, No. S.O. 782, dated the 1st April, 1959, as the Labour Court which shall determine such amount, in relation to workmen employed in other parts of India.

[No. 1/55/59-II-LR.I.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 30th July 1960

S.O. 1956.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri Nripendra Prasad Verma, to be an Inspector for the whole of the State of Bihar for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 31(758)60/PFT.]

S.O. 1957.—PWA/MINES/RULES/AM.—In exercise of the powers conferred by sub-sections (2) and (3) of section 26, read with section 24 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following

amendments to the Payment of Wages (Mines) Rules, 1956, the same having been previously published as required by sub-section (5) of section 26, namely:—

1. These rules may be called the Payment of Wages (Mines) Amendment Rules, 1960.

2. In the Payment of Wages (Mines) Rules, 1956,—

in Form VII appended thereto,

for paragraph 9, the following paragraph shall be substituted, namely:—

“9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Inspector, specify by a notice displayed at or near the main entrance of the work place or places at the mine and after giving the employed person an opportunity for explanation.

(2) Fines—

(a) shall not exceed three naye paise in the rupee;

(b) shall not be recovered by instalments, or later than sixty days of the date of imposition;

(c) shall be recorded in a register and applied to such purposes beneficial to the employed persons as are approved by the Inspector; and

(d) shall not be imposed on any employed person who is under the age of fifteen years.”

[No. 50/82/58-Fac.]

New Delhi, the 1st August 1960

S.O. 1958.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. P. Joshi, Conciliation Officer, Delhi, to be an Inspector for the whole of the union territory of Delhi for the purposes of the said Act and of any Scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry, *vice* Shri L. I. Parija.

[No. 31(761)/60-PF.I.]

S.O. 1959.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri S. P. Joshi, Conciliation Officer, Delhi, as Regional Provident Fund Commissioner, for the whole of the union territory of Delhi, *vice* Shri L. I. Parija. Shri Joshi shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. 31(761)/60-PF.I.]

S.O. 1960.—In pursuance of sub-clause (9) of clause 42 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby constitutes a committee consisting of the following persons for fixing the alternative datum lines under the Piece Rate Scheme in force, for the handling of ore and rock phosphate at the mechanised ore and coal berths respectively and to prepare a scheme covering all the categories of workers under the Madras Dock Labour Board directly connected with the handling of the two commodities at these berths:

Chairman

1. Shri F. Jeejeebhoy.

Members

2. Shri K. N. Srinivasan, Chief Engineer, Madras Port Trust, Madras.
3. Shri V. A. Jaywant, Traffic Manager, Madras Port Trust, Madras.
4. Shri K. S. G. Haja Shareeff, President, Administrative Body of the Dock Labour Board, Madras.
5. Shri S. C. C. Anthoni Pillai, M.P., President, Madras Port Trust Employees Union, Madras.

6. Shri S. Guruswamy, President, Madras Port Trust Railwaymen's Union, Madras.

7. Shri A. S. K. Iyengar, General Secretary, Madras Harbour Workers' Union, Madras.

2. The Committee may co-opt such persons to assist it as it may consider necessary but the co-opted members shall not participate in the final deliberations of the Committee.

[No. 524/1/60-Fac.]

P. D. GAIHA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 27th July 1960

S.O. 1961.—In exercise of the powers conferred by section 3 of the Cinematograph Act, 1952 (37 of 1952) read with rule 4 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-constitutes the Board of Film Censors consisting of the following members, namely:—

Chairman

1. Shri B. D. Mirchandani, ICS.

Members

2. Dr. N. K. Sidhanta.

3. Shri M. Satanarayana, M.P.

4. Shri Sohrab M. Modi.

5. Smt. Poornima A. Pakwasa.

6. Dr. Waman Sheodas Barlingay, M. P.

7. Shri B. N. Jha.

8. Smt. Ammu Swaminathan.

2. All the members except Shri B. N. Jha and Smt. Ammu Swaminathan shall hold office for a period of three years from the date on which they were respectively appointed before the re-constitution of the Board.

[No. 11/14/59-FC.]

S. PADMANABHAN, Under Secy.

